



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Inventor(s) Andrew E. Waterfall et al.

) Attorney Docket No.: 102107-200

Conf. No. 7721

) Group Art Unit: 2621

Serial No.: 09/817,398

) Examiner: N/A

Filed: March 26, 2001

) Date: September 19, 2003

Title: Method for Visualization of Time Sequences of 3D Optical Fluorescence
Microscopy Images

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S.I.
1029-03

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

<p align="center">Certificate of Mailing</p> <p>Date of Deposit September 19, 2003</p> <p>I hereby certify under 37 CFR 1.8(a) that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p>Signed: <u>Gregory S. Rosenblatt</u></p> <p>Name: Gregory S. Rosenblatt</p>
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Commissioner for Patents
P.O. Box 1450
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Sir:

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

While this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(b) exists.

In accordance with 37 CFR § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

This Information Disclosure Statement is being filed in accordance with the following provisions, as identified below with marked boxes, available under 37 CFR § 1.97:

1. ☒ 37 CFR §1.97(b) - This Information Disclosure Statement is being filed according to one of the following: (i) within 3 months of the filing date of this application (other than a CPA); (ii) within 3 months of the date of entry of the national stage as set forth in § 1.491 in an international application; (iii) before the mailing of a first Office action on the merits; or (iv) before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

OR

2. [...] 37 CFR §1.97(c) - This Information Disclosure Statement is being filed before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by the statement or fee as identified below:

2.1 [...] Specified Statement under 37 CFR § 1.97(e)(1) - see below.

OR

2.2 [] Specified Statement under 37 CFR § 1.97(e)(2) - see below.

OR

2.3 [] Please charge Deposit Account No. **23-1665** in the amount of **\$180.00** to cover the fee set forth in § 1.17(p).

**** Provisional Fee Authorization.** If Box 2.1 or Box 2.2 is marked above and a final action under § 1.113 has in fact been mailed before the filing of this Information Disclosure Statement, then the Commissioner is authorized to charge Deposit Account No. **23-1665** in the amount of **\$180.00** to cover the fee set forth in § 1.17(p) as if Box 2.3 had been marked.

OR

3. [...] 37 CFR §1.97(d) - This Information Disclosure Statement is being filed on or before payment of the issue fee and it is accompanied by the statement and fee as identified below:

3.1.1 [...] Specified Statement under 37 CFR § 1.97(e)(1) - see below.

OR

3.1.2 [] Specified Statement under 37 CFR § 1.97(e)(2) - see below.

AND

3.2 []

Please charge Deposit Account No. **23-1665** in the amount of \$180.00 to cover the fee set forth in § 1.17(p).

Specified Statement under 37 CFR § 1.97(e)(1) - Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

Specified Statement under 37 CFR § 1.97(e)(2) - No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing below, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

4. [X] Statement under 37 CFR § 1.704(d) with respect to Patent Term Adjustment: Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office (*European Patent Office*) in a counterpart application (PCT) and said communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of the information disclosure statement.

A list of the patent(s) and/or publication(s) is set forth on the attached Form PTO-1449 (Modified). A copy of each of the items on PTO-1449 (Modified) is supplied herewith.

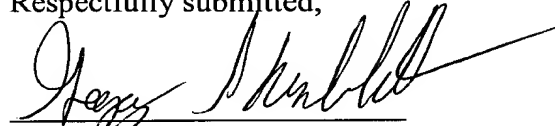
The Commissioner is hereby authorized to charge any additional fees which may be required to Deposit Account No. **23-1665**.

A duplicate copy of this transmittal is enclosed for use in charging the Deposit Account.

It is respectfully requested that these documents be expressly considered during the prosecution of this application, that the documents be made of record therein and that the documents appear among the "References Cited" on any patent to issue there from.

The citation of these documents should not be construed as a representation that a search has been made, or that other, more pertinent material is not available.

Respectfully submitted,



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